

**SPECIAL JOINT MEETING OF THE
MARIN COUNTY CONGESTION MANAGEMENT AGENCY,
MARIN COUNTY BOARD OF SUPERVISORS, AND
MARIN COUNTY TRANSIT DISTRICT**

THURSDAY, APRIL 8TH, 2004

Representatives Present: Susan Adams, Marin County Board of Supervisors
Cynthia Murray, Marin County Board of Supervisors
Barbara Heller, Marin County Transit District
Steve Kinsey, Marin County Board of Supervisors
Joan Lundstrom, Larkspur City Council
Al Boro, San Rafael City Council
Alice Fredericks, Tiburon Town Council
Dick Swanson, Mill Valley City Council
Pat Eklund, Novato City Council
Lew Tremaine, Fairfax Town Council
Melissa Gill, Corte Madera Town Council
Peter Breen, San Anselmo Town Council

Representatives Absent: Hal Brown, Marin County Board of Supervisors
Annette Rose, Marin County Board of Supervisors
Bruce Sams, Belvedere City Council
Amy Belser, Sausalito City Council
Tom Byrnes, Ross Town Council

Staff Members Present: Craig Tackabery, CMA Executive Director
Art Brook, CMA Deputy Executive Director
Dean Powell, Principal Transportation Planner, Marin County DPW
Jack Baker, Senior Transportation Engineer, Marin County DPW
Jason Nutt, Traffic Operations Engineer, Marin County DPW
Tho Do, Associate Civil Engineer, Marin County DPW
JeriLynne Stewart, Recording Secretary

Chairman Steve Kinsey called the Joint Meeting to order at 7:45 p.m.

1. Board/Agency Member Matters Not On The Agenda

Agency member Joan Lundstrom said the Governance Subcommittee met earlier this evening to review the proposed bylaws for the new Transportation Authority. She explained Agency members will receive a draft of the bylaws and that there are several key components each city/town agency representative should review and present to their respective city/town councils for discussion.

Chairman Steve Kinsey explained he met with several SMART directors and members of the Sonoma County Transportation Authority (SCTA) earlier today, continuing the discussion as to whether they are interested in going forward with their own sales tax measure on the ballot this fall.

2. Executive Director's Report

Executive Director Craig Tackabery reminded the Joint Agency that the next meeting will be April 29th, 2004.

3. Draft Transportation Sales Tax Expenditure Plan
a. Presentation of March 2004 Sales Tax Poll Results

Bryan Godbe of Godbe Research & Analysis lead a detailed discussion of the 'baseline' poll conducted in March relating to the sales tax measure, which was designed as 15-minute telephone survey/questionnaire. The overall objectives were to ascertain the support or opposition to a ½-cent sales tax increase to fund local transit and transportation, measure the relative importance of transportation-related issues in comparison to other issues facing the community, and examine the impact of various features of the sales tax on voter behavior. The sample size of completed interviews was 1,000 Marin County residents, with a margin of error of +/- 3.09% on all levels.

Mr. Godbe detailed each segment of the poll to the Joint Agency, the first of which was the importance of community issues; the leading concern in this segment of questions was the reduction of traffic congestion on Highway 101. It was rated "very important", scoring a 2 on a scale of 0 (not important at all) to 3 (extremely important). Other general survey questions in this segment included maintaining and improving the local road system (scoring 1.86), reducing traffic congestion on local roads (scoring 1.80), constructing bicycle and walking pathways to schools (scoring 1.59), improving bus services in Marin (scoring 1.59), and preventing local tax increases.

The next segment of the poll was the 'First Ballot Test' which featured more specific questions about whether a sales tax increase should be imposed, including completion of the Highway 101 carpool lane through San Rafael and improving bus service. Polls were then asked if the election were held today, would they vote yes or no on this measure. Definitely yes = 49%; probably yes = 24%; definitely no = 17%; and probably no = 7%. Mr. Godbe said this is one of the highest "yes" numbers he has seen on a 'First Ballot Test' in 15 years of conducting revenue-related research.

Mr. Godbe then compared this 'First Ballot Test' with previous polls, featuring similar response categories. In December 2001, support = 62%; in September 2003, yes = 70%.

The 'Tax Duration Threshold' was the next segment, beginning with a 30-year threshold and ending with a 15-year threshold. Approximately 47% would vote yes on a measure which had a 30-year duration; 48% would vote yes for a 25-year duration; 54% yes for a 20-year; and 64% for a 15-year (error rates 3%). This information is rolled into the Second and Third Ballot Tests.

The next series of questions were a variety of features of the sales tax measure, such as on what projects/which items should we spend the money? Again, Mr. Godbe's research team sub-sets the responses ("somewhat more likely" and "much more likely") to indicate intensity of voter intention. The top 3 features were creating safe pathways for children (scoring 1.14 on a scale of 0 to 2); maintaining specialized transit services for disabled and senior citizens for Whistlestop Wheels (scoring 1.07 on a scale of 0 to 2); and ensuring timely completion of Highway 101 carpool lane through San Rafael (scoring 1.03). Mr. Godbe explained that scores over 1.0 are very strong and that in past surveys with support at 0.8, many tax measures have passed. Mr. Godbe noted the difference and impact of the words "maintain" vs. "sustain". Many adjectives have been researched and tested over the years; "maintain" has always tested best. Maintenance is an important component of any measure for the voters.

An argument "For the Measure" is a segment, which Mr. Godbe dubbed as being more political than technical. The top argument for the sales tax measure was 'the measure would help reduce traffic congestion on Highway 101 within Marin County' (scoring 1.19 on a scale of 0 to 2) and the lowest argument was 'matching funds from local towns and cities would provide additional money' (scoring 0.81). Mr. Godbe noted that the 'Citizens Oversight Committee would monitor expenditure of the funds and track performance of results' argument lower score at 0.77 was important in that it reflects a level of trust for Marin County government.

"Arguments Against the Measure" was the next segment presented. The scale is based on ratings from -2 to 2; the minus numbers mean they are more successful against the measure. 'The measure is a bail-out for the budget-deficit of the Golden Gate Bridge District' was the first concern, scoring -0.34, which translates into a mildly strong argument against the measure, on the face of it (a score of -0.5 would make the research team overly concerned, which they do often see). Of the remaining 55% of the people who have an opinion, it is collapsing the rankings toward the middle because there is such a large "no effect".

Mr. Godbe said what has happened at this point, after all of the above segments have been completed, is that his research team has effectively simulated a campaign. The overall results of the "Second Ballot Test" are similar to the "First"; 73% = yes; 24% = no; and 3% do not know.

Next on the questionnaire was one of the important issues the Joint Agency wished to gain information about: how does the allocation of funds impact support for the measure? Mr. Godbe developed one of many bargaining questions for this type of research objective, utilizing the same rating system as above. The sample of 1,000 pollees was split into 3 groups, randomly selecting 1 (of 3) to receive one of the following 3 allocation scenarios:

- A. 65% local bus service; 15% improving roads, scoring -0.09 (on a scale of -2 to 2)
- B. 50% local bus service; 30% improving roads, scoring -0.02
- C. 35% local bus service; 45% improving roads, scoring 0.14

These results did not indicate a strong voter preference for a percentage mix; out of the 1,000 polled, the total breakdown of pollees was by Supervisorial district, as follows: 186 total pollees in District 5; 119 or 64% in support of tax measure. 166 total pollees in District 4; 114 or 68.7% in support of tax measure. 206 total pollees in District 3; 136 or 66% in support. 224 total pollees in District 2; 167 or 74.6% in support. 218 total from District 1; 153 or 70.2% in support.

Similar to allocation questions, Mr. Godbe said they had concerns about the impact of other revenue measures which may or may not be on the ballot. When asked if pollee knew one of the following tax measures would be on the ballot, would they be more or less likely to support our sales tax measure (e.g., College of Marin's bond measure; Novato Unified School District's parcel tax measure; and a statewide sales tax, addressing State's financial crisis). The biggest problem may be the statewide sales tax (scoring -0.18 on a scale of -2 to 2).

Finally, after conducting the 'Third Ballot Test', a 3% "slip" in support for the measure is shown.

In summary, Mr. Godbe illustrated the conclusions and recommendations from all three ballot tests reveal more than 2/3 support for the sales tax measure. While the tax duration threshold results show 15 years as the optimal duration, there is abundant support suggesting an educational campaign could pass a measure with a 20 year duration. The measure should be placed on the November 2004 ballot. The features important to voters include transit, completion of carpool lane on Highway 101 through San Rafael, school-related safety improvements, and improving and maintaining local and major roads.

The questions and comments from Joint Committee members are as follows: how successful has Godbe Research been in the past at predicting outcomes based on surveys such as the one detailed above; Mr. Godbe said that out of all measures his firm has recommended for the ballot, 85% have won.

Due to the fact that most of our transit-dependent are not voters and probably haven't been polled, how do we fill that gap to represent what they need and use? Mr. Godbe said that part of their work for MTC addresses numerous issues where they have polled an entirely different sample; results reported from a Planning survey for Marin were from a 2,700 sample for planning issues, dealing with people who are not part of the voting universe. Mr. Godbe said, although difficult, this could be reviewed to analyze what non-voters think.

More questions and concerns included: survey, re: a) Sustain and enhance bus service within Marin County (35% & 33%), b) Sustain and enhance bus service to SF (33% & 30%); there does not seem to be much difference in the "much more likely" or "somewhat more likely" percentages. Is the difference significant? Mr. Godbe explained the difference is in the "no effect" category/difference; this is not a huge difference but it is a statistically significant difference.

Of special note was the fact that a local official against this measure sent out an e-mail recently, stating this measure is going to be 'growth-inducing' because it widens Highway 101; how does support for solving congestion on Highway 101 match up with growth as an argument against this measure? Godbe's survey question #8-f addressed this exact issue: "More transportation improvements will lead to more development and more traffic", which had a -0.25 score and 48% of voters indicating this had no affect on their vote. This is not at the strong argument level.

Chairman Kinsey asked that if we were to do an outreach effort as an educational piece, and then take another poll, is there any movement from this type of education? Mr. Godbe said yes, yet it becomes a budgetary issue. The amount of financial resources put into that type of communications effort is key. A direct mailer, for instance, might have a huge impact, compared to other forms of outreach. Frequency and time of outreach efforts are big issues.

Supervisor Cynthia Murray asked for direction on verbiage for the actual outreach effort: what to use and not. Mr. Godbe said to use the word "maintain" and do not use "sustain"; be direct. He also referred to 'Transportation Demand Management', indicating the issue is complicated for the average voter, yet may seem simplistic to those familiar with transportation-related language.

Supervisor Susan Adams said she was interested in the 15% non-success rate of Godbe's firm in recommending the placement of a measure on a ballot. Mr. Godbe illustrated the example of the Fremont School District; with survey numbers not nearly as high as Marin's survey numbers, yet they lost on election day due to the fact that one of the School Board Members who was running for Assembly had sent out a direct mail piece to virtually every voter, stating "don't trust the School Board." In essence, Mr. Godbe said we do not want 'lightening rods of dissent' sitting on the Joint Agency Board. 2/3 measures cannot tolerate a lot of dissent.

Public comments included: regarding arguments from opponents, the phrase "... this measure is a bail-out for a budget-deficited Golden Gate Transit" was used; when a strong term such as "bail out" is used, it might have the same impact as the difference as "maintain" and "sustain." Mr. Godbe answered that in the Feature of The Measure, there is an item "Sustain and enhance bus service to SF" which doesn't mention GGBH&TD, yet speaks to one of their central issues, which tested positive. When crafting arguments against, they are forecasting what an opposition campaign might use; they typically use hard terms, such as "bail out".

Deb Hubsmith of MCBC said the MCBC is interested in working to help pass this measure. Ms. Hubsmith recommended that the work going into the pathway parallel to the soundwall through Central San Rafael be designed in coordination with SMART, to fit into the Caltrans plan. This provides a needed alternative to driving on Highway 101; also reflected by the fact that today, a plan was presented for a 30% design for the Cal Park Hill tunnel with which this project could connect. Chris Lang, volunteer with MCBC supports traffic calming infrastructure investments. Other speakers support the Agency's efforts; Margaret suggested changing the sizes of buses as part of transit enhancement. Tony Withington, Amalgamated Buses Union, suggests the Agency look at more service and less zones to make the system easier to use; make connectivity a priority.

b. Feedback from City/Town Councils and Stakeholder Groups

Dean Powell detailed feedback from the 11 cities and towns and 5 stakeholders' groups. The staff/consultant team attended 17 meetings within the past 5 weeks. He said staff had prepared 3 different draft matrixes; one of city councils' draft Plan comments, one of city councils' general comments and questions, and one of public comments and questions and analyzed for consensus. There was no strong resounding message or consensus on issues related to the Plan. Thus, information presented tonight was the raw data from all matrixes.

Mr. Tackabery continued with information on the gap closure shortfall; the Governor recommending eliminating \$12.2M in TCRP funding. Staff however, has still been working with MTC staff in seeking new funding. MTC was getting ready to allocate funds for new projects and programs, when together with the 8 other Bay Area county CMA's, Marin County CMA staff convinced MTC to look at the projects stopped/stalled due to funding shortfalls. MTC set aside \$60M to fund a variety of projects, providing Marin with \$10M for a backfill for the Gap Closure. This has been through a public hearing and is supported by all Bay Area counties. Final action is April 28th.

c. Draft Plan Modifications and Direction to Staff

Executive Director Tackabery requested Agency members review the Key Policy Questions (KPQ), reflecting concerns of the cities and towns.

- 1) Should we update the financial projections included in the plan?

Staff recommends using the updated projections. Total available revenue over the lifetime of the measure will be \$331.6M or an average of \$16.5M per year.

Chairman Kinsey said the issue is that by recalibrating the expectations we could have an additional \$2.25M per year to allocate. Chairman Kinsey said he had received a memo from MTC that indicated they had reviewed a number of the counties who are going forward with their Sales Tax Measures, and said Marin County's anticipated revenues were more conservative than the other counties, which reinforces the recommendation to update the financial projections. Agency member Swanson asked if these numbers will be projected in current dollars or will they be escalated? Bonnie Nelson said they represent 2003 dollars, including cost and revenue.

Supervisor Adams motions to update the financial projections; Larkspur City Council Member Joan Lundstrum seconds the motion. Motion passed 12/0/0.

- 2) How can we provide more clarity about future transit services, if we cannot say who will operate the services or exactly where the routes will operate?
 - a. Refine the list of candidate routes on pages, 8, 9, and 10 of the Plan to a single list with more clarity about what those improvements are. Clarify that these are candidate projects.
 - b. Highlight the criteria that will be used to add new routes or services.
 - c. Describe the public process that will be required to implement route or fare changes.
 - d. Clarify that funds collected for transit services will go to MCTD and that decisions about specific routes and who will provide the highest quality-minimum cost service to Marin county will be determined locally by MCTD and approved by the Transportation Authority.

Bonnie Nelson explained that the transit area of the Plan is the area on which most cities and towns gave comment. She suggested there needs to be "performance-based criteria" as an element of this section of the Plan. Some cities and towns felt the list of candidate projects over-promise, yet generally most felt comfortable with this as a set of criteria by which the Authority would make decisions. These recommendations work together to provide the performance-based criteria requested. Finally, many cities and towns focused on whether money would be going to Golden Gate Transit or to a local transit agency. Ms. Nelson said that she and staff made it clear that decisions would be made locally about how to spend the money; GGBH&TD could still be the local operator, if chosen.

Ms. Nelson explained that the Plan in the packet does not reflect these changes. Prior to presenting the final version to Agency members, staff will review the Plan with recommended changes to Godbe Research to reach agreement on final verbiage. Ms. Nelson continued by saying the vast majority of questions by cities and towns pertained to verbiage. Staff will make certain that after working with Godbe and outreach consultants, the Plan's final draft will reflect the best possible language for getting this passed.

Agency member Peter Breen said the Ross Valley was missing from page 9 of the draft Plan, explaining Ross Valley has a successful history of a shuttle service which ran for two years and should be included in the "small bus" projects list.

Agency member Eklund questioned #2 and #3 from the KPQ; how would these questions be written in a document such as the Plan, based on number of passengers; how will transit program performance be measured? Ms. Nelson said these are performance measures used to evaluate alternative investments as Agency members consider which routes and services to implement. Each of the items listed under #2b are performance standards commonly used in the transit industry for evaluating transit services. They include quantitative things, such as passengers per mile, per hour, subsidy per trip, yet also include qualitative measures such as filling a gap in the transit network, providing unique mobility options, providing environmental justice; things which cannot be measured with basic algebra yet must be evaluated nonetheless.

Every two years, these performance measures will be reviewed. It provides a measurable way for Agency members to evaluate the choices available.

Supervisor Adams questions page 8 of the draft Plan: may we footnote or asterisk, and have a separate page which may detail frequency and quality issues which voters can "connect" with. As we are in the "Scenario E Mode", may we possibly commit to those, and as part of the assessment process as the Transportation Authority, then review how well we made those decisions? Ms. Nelson said we can "tighten up" the language and talk about what we view as the first level of improvement. We need to be careful not to identify projects, which are too specific, since this is a 20-year plan and we must comply with CEQA. Supervisor Adams said that if an item is a particular service voters already have, we did not need to conduct an EIR on that particular service. Ms. Nelson said we can think about that; it is a good suggestion.

Agency member Eklund suggested that on Page 8, the language read "Hamilton Area" instead of Nave Drive.

Agency member Gill suggested Plan language be changed from "leveraging" to "matching" for ease of understanding.

Chairman Kinsey asked if we should be incorporating the recommended changes, which include consolidating candidate routes, making specific changes suggested above, identifying performance measures which can be used as criteria for considering routes, having a process that is public every two years identifying where investments should be targeted for implementation, and defining what it would take to make changes to routes or fares?

Supervisor Cynthia Murray moves to incorporate the recommended changes; San Anselmo Council Member Peter Breen seconds the motion. Motion passed 12/0/0.

- 3) Should bus services that cross the Golden Gate Bridge be eligible for sales tax funding?
 - a. Add the possibility that transit funds could be spent to fund Marin County riders on bus transit services between Marin County and San Francisco in the local transit services strategy, using the criteria recommended above.
 - b. Set aside a fixed amount for these regional services.

Bonnie Nelson stated that Novato interest in transit service to SF was quite passionate, yet other cities and towns – San Anselmo, Larkspur and Sausalito – questioned whether bus service described in the prior discussion includes service to SF, to which staff would answer, no it does not. Ms. Nelson said that if one has to keep explaining why it doesn't, then it probably doesn't make sense to leave it out. Staff recommends item 3a., above. Staff also wanted to add that if services to San Francisco are eligible for sales tax dollars, they recommend a Maintenance of Effort for toll revenue. Ms. Nelson stressed the need to be careful that sales tax revenue is simply not replacing the toll revenue already spent on the regional bus service.

Eklund commented that she was among 3 or 4 other council members in Novato who were passionate about inter-county transit. Eklund suggested staff consider a fixed allocation from the newly acquired \$10M for the Gap Closure for inter-county transit, even including East Bay travel.

Tremaine said that if the Agency is taking on more responsibility for funding of local transit, logic dictates the GGBH&TD will be allotted more money. He suggested we leave the door open and not have fixed amounts allocated for regional services.

Lundstorm argued that this is a 20-year plan and that there will always be a shortfall. She supported #3a above which gives the Agency the flexibility to meet some of the issues now. She also said performance criteria, and replacement of toll funding, etc. should be included in the recommendation.

Fredericks said that GGBH&TD's mandate is to service the corridor. She suggested it is important to provide incentives to GGBH&TD to maintain a specific level of service to the corridor, and therefore Agency should provide some kinds of conditions or "Maintenance of Effort" provision which triggers a reassessment of the spending of sales tax money.

Breen supported #3a., saying we need to keep the option open; it allows Agency to see the ebb and flow of finances over the 20-year period.

Council member Heller said she too supports #3a, yet suggested staff stress "local transit" as it appears that more than 50% of trips are within Marin County. She suggested we leave open the Agency's ability to make other/different decisions down the road. We need to work on the County's immense local transit needs.

Supervisor Adams said that good bus access to the corridor will help the local community. Even in SF, Supervisor Adams called upon her past experience of having to transfer 2 to 3 times to get to her destination. Since service was frequent, it was fairly seamless. Therefore, it is up to the Agency to make sure similar seamless connections can be made. She supported #3a. We are not ready to set aside fixed amounts for regional service.

Eklund said she has been routinely taking a bus to SF for about 35 years. She recommended setting aside money for SF bound buses. She said GGBH&TD is attempting to define core transit (service). Yet, they do not have enough money to run all the buses to SF which meet Marin's demands. She said a memo from GGBH&TD said there exists a \$6 to \$14M shortfall to currently fund the core service. She said voters should have more certainty as to where the money will be allocated. She said we can set aside a fixed amount now, and revisit it at a later time.

Supervisor Murray supported #3a. and said we have to be very cautious when considering putting money into 'more'. We would be better off doing less things, but do them well. It is critical that whatever money we get, we do something that makes a difference. She said we have a changing commute pattern; ridership into SF is down because jobs have moved to other places. We have to educate the public that the commute is within Marin now, not into SF. We have heard that people do not want the money spent outside of the County. Money raised here should be spent here.

Swanson said Maintenance of Effort is critical; we cannot have a Maintenance of Effort if we set aside a fixed amount of money. We have to watch and see what happens with GGBH&TD. He suggested the only reasonable thing to do is support #3a.

David Schoenbrunn, TRANSDEF: has observed GGBH&TD board activities. He believes our proposal is wrong-headed in that it fails to recognize the statutory mission of the bridge district, which is to provide transportation along the corridor. He agreed with Director Tremaine and Supervisor Murray in that their positions are historically accurate. There is so much need to take care of local transit.

Joy Dahlgren said that in the polling, it was congestion that was identified as the biggest problem. The SF transit service is far more important than the local service could ever be, because the people who use the service don't have to use it; they are choice riders, who could drive if they wished. She said commuter trips from North Bay to SF via transit (2002) make up 25%. If a substantial number of these start driving, it will have a huge effect on congestion. Most local transit riders are not choice riders; they have to use transit for mobility. She continued by saying most local trips can be made in less than ½ hour in a car; those trips taking more than a ½-hour will take a lot more than that on transit. People are just not as likely to use transit if they have a car.

Craig Yates spoke against Ms. Dahlgren by commenting that local transit is needed in Marin because of the homebound & shut-ins population, and those who depend on paratransit, especially in the growing geriatric society.

Andrew Thompson said the core needs, which the GGBH&TD currently serves, including those moving to and from SF, is a blurry area. He said that within a 30-day period, he read that GGBH&TD's shortfall was \$8M, then jumped to \$16M. He said it is vital the Agency ascertain what the core service is in order to provide what Marin County deserves.

Karen Nygren asked the question: "Should we add just this one piece – the possibility of #3a – instead of seeing the issue as being an 'either/or' issue of going to SF"?

Supervisor Susan Adams moved to support item #3a and the Maintenance of Effort requirement; Council member Joan Lundstrom seconds the motion. Motion passed 11/0/1. Novato Council member Pat Eklund commented she supported the item, but prefers #3b.

- 4) Should we maintain the current approach of reprogramming any "excess funds" in the gap closure strategy to infrastructure?
 - a. Keep the plan as is, and have any excess funds in the gap closure area go to infrastructure; combine strategies 2 and 3; putting the gap closure in the same implementation strategy as other infrastructure projects.
 - b. Put any extra funds into bus transit serves.
 - c. Provide maximum flexibility and allow the Transportation Authority to reallocate through a Plan Amendment.

Bonnie Nelson led a discussion focusing on the policy, which was drafted in the Plan specifically for the Gap Closure. If any one project should become over-funded for any reason, the money would be reallocated for any other project within that strategy. The Gap Closure stands alone in its strategy. In the Release Draft, a special policy was drafted for the Gap Closure to allocate any excess funds to infrastructure.

Supervisor Susan Adams suggested one option could be to split any excess funds, 50% to transit, and 50% to infrastructure.

Council members Tremaine and Lundstrom supported Supervisor Adams' suggestion. Council member Fredericks said her understanding of the Plan was that contributions to local roads go only to the arterials. Ms. Nelson explained the list of arterials are in the Plan, and are all roads of countywide significance. These are not roads which are solely maintained by the County; many are roads which are maintained partly by cities and partly by the County. They cross jurisdictions.

Chairman Kinsey said the community thinks one of the most important issues we can make is to finish the gap closure. Let us get to the end of the project and see what is left over. We can divide the excess between infrastructure and transit.

Council member Eklund she could accept a 50/50 split of funds between transit and infrastructure.

Deb Hubsmith with MCBC suggested there be a parallel bike path created in conjunction with the placement of the soundwall in the Gap Closure, from downtown San Rafael to the top of Lincoln Avenue. SMART staff told her the estimates for this would be available within the month at which time the plans could be reviewed. Ms. Hubsmith said the project is at a 30% design phase and is supported by The San Rafael Neighborhood Association.

Chris Lang, MCBC volunteer, said a 50/50 split is reasonable yet supported keeping any excess funds in infrastructure, as the 'freeway expansion project' is paving over Marin and creating more smog. Alternative access should be fostered. He believes mitigation for the widening of the freeway should include a greenway or alternative access.

Karen Nygren commented on a staff oversight that the Sierra Club submitted a letter and wished to have it included. The letter stated concern about funding for infrastructure, in that it would become a "pothole tax" if too much money and leverage was put into infrastructure. Staff commented that they didn't receive a copy of a letter, only that they had seen a "draft," and that was why it wasn't included.

Council member Boro thanked Deb Hubsmith for bringing issue of the bike lane to their attention. He asked that staff sort out the roles of Caltrans and SMART for the Agency, and bring back for discussion at the next meeting, specifically requesting an allocation for the bike lane in mind. Lincoln Avenue (which used to be Highway 101) is simply unsafe for bicycles. Mr. Boro said creating a bike lane in conjunction with the placement of the soundwall makes sense.

Supervisor Adams said she could support the concept above as part of the Gap Closure. Bonnie Nelson said that assuming the Agency wanted to fund a part of the bike lane as part of the Gap Closure project which would increase the need for funds, so that the \$10M referred to earlier coming from MTC would not reduce the cost by \$10M, it would reduce the cost by some other amount. In essence, Chairman Kinsey said we would be expanding the definition of the gap closure project to incorporate the bike lane. Executive Director Tackabery said he did not think there would be a firm answer as to whether incorporating a bike lane into the project is feasible, since SMART and Caltrans staff are still working on this issue, by the end of the month.

Council member Tremaine suggested we could commit to considering the concept as part of the project and to then split any excess funds 50/50.

Council member Breen motioned to include the bike path project between San Rafael Transit Center and the top of Lincoln Avenue be incorporated into the Gap Closure project and any funds available after completion of Gap Closure would be split 50/50 toward transit and infrastructure. Supervisor Adams seconded the motion. Motion passed 12/0/0.

Council member Fredericks said she did not follow how this related to Council member Swanson's suggestion that we incorporate the gap closure project and infrastructure and make it easier to move excess funds among the categories. Chairman Kinsey said we would have a line item, which might say gap closure includes the bike lane portion after the completion of the gap closure, and that the thought of collapsing the gap closure and infrastructure into one be discussed later.

- 5) In local infrastructure funds, staff recommends a change to the approach of having the "public works directors" develop priorities based on their cooperative process and the criteria listed on page 15 of the draft Plan.
 - a. Staff recommends adjusting and highlighting specific performance criteria for infrastructure investments and clarify that expenditures are limited to the major corridors.
 - b. Staff recommends broadening the committee that will set priorities from the Public Works Directors to the broader Technical Advisory Committee, which includes public members. The make-up of the committee is being drafted as part of the Administrative Code and could include 8 additional member composition options.

Ms. Nelson said the concept of performance criteria was often raised among all cities and town. There was a lot of discussion as to how these funds would be distributed. In some cities, there was concern about how much each city would receive. Staff does not recommend that we use a formula, which is city-based. Since the focus is on major roadway corridors, staff recommends a formula over the life of the Plan that would ensure geographic equity, which would divide funds by population and road miles into the 5 planning areas in the County – areas we used to separate the CAC's.

Council member Tremaine questioned how formula breakdown by region matched the list of roads enumerated in the Plan? Executive Director Tackabery said there is not a direct correlation; the formula is based on total

road miles and population. Over the life of the Plan, staff would ensure that we kept to the rough percentage while working on the roads list. Mr. Tremaine has mixed feelings about the arterial list. Can the list be looked at more closely for accuracy? He questioned whether the formula based on population and road miles provides enough funding.

Council member Eklund questioned the list of roads on page 17. Ms. Nelson explained the definition is "major roads" not arterial roads; the public may not understand arterial yet does understand "major road". Ms. Eklund asked if it will be the new Transportation Authority who decides which roads are candidates. Ms. Nelson responded the final purview will be the Authority. Ms. Eklund asked if consideration was given to allow the Citizens Oversight Committee to have more of a role. Ms. Nelson explained that the COC reports directly to the public, and is not a technical advisory committee, which is why staff made the recommendations it did in #5b.

Council member Breen said that if mobility is our greatest concern, and that if Sir Francis Drake Boulevard is at a level "F" with 2-mile backups, and there are many other arterials, which are listed, yet are moving (as opposed to SFD Boulevard, which is the most "choked street" in the County). If someone proposed a flyover at The Hub, that will cost more than the 20% allotted. Mr. Breen suggested we focus on average daily traffic. He suggested more flexibility in determining which roads get attention.

Council member Boro reminded Agency members that this is a 20-year Plan, and that over the life of the Plan, all roads will receive attention, both financially and technically.

Council member Swanson said there is no mention of a Mill Valley road. He strongly recommended staff include East Blithedale for instance. Ms. Nelson explained it was inadvertently left off the list. He suggested we consider action saying that the geographic equity/balancing occurs every 5 years, instead of "over the life of the Plan".

Council member Lundstrom said that the project selection process is how the TAC operates. She said that pertaining to the infrastructure, staff should pay particular attention to school access and major travel to and from those schools.

Council member Fredericks said there isn't much mention of roads pertaining to the Town of Tiburon, and especially one of the major rapidly deteriorating County roads connecting the world to Tiburon which is Paradise Drive, south of Trestle Glen. She suggested all of Paradise Drive be on the list.

Public comment included the following: the TAC pay particular attention to connectivity, suggesting that projects linked/working together simultaneously actually make one large link, which improves a multitude of sections; commendation for reinstating the TAC; balance mobility between areas of congestion, especially southern Marin; and the difficulty of sharing the road with cars and bicycles along Paradise Drive and the need to put this road on the projects list.

Supervisor Cynthia Murray moved to approve recommendations on page 3, adding the concept of connectivity, and adding changes to the road list, including adding all of Paradise Drive, East Blithedale, and Anderson Drive, and adding school access to list of criteria, and geographic equity every 5 years; Council member Lundstrom seconded the motion. Motion passed 12/0/0.

4. Open Time for Items Not On The Agenda

Chris Lang asked the Agency to consider the bike lane be agendized on future meeting schedules, and to consider and adopt a policy first drafted in 1974 (referring to handout he provided) regarding bicycles. Mr. Lang said bikeways are not recreational, they are transportation.

Chairman Kinsey adjourned the Joint Committee meeting at 10:35 p.m.